

Record of Decision

The Rio Grande Corridor
Final Plan

January 2000



U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
TAOS FIELD OFFICE



BLM/NM/PL-00-004-1220





REPLY REFER TO:
1617 (NM-020) P

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Taos Field Office
226 Cruz Alta Road
Taos, New Mexico 87571

La Jara Field Office
15571 County Road T5
La Jara, Colorado 81140

January 4, 2000

Dear Reader:

This document contains the Record of Decision (ROD) for the Final Rio Grande Corridor Coordinated Resource Management Plan (Final Plan). The Final Plan (available in late January 2000) provides management guidance for public lands along the Rio Grande in New Mexico (Taos Field Office) and in Colorado (La Jara Field Office), and also amends the Taos Resource Management Plan. The plan provides a vision for managing the natural resources in the corridor from La Sauses, Colorado to Velarde, New Mexico, and is the result of over 5 years of work with individuals, community groups, the outfitting industry and federal, state and local governments. The Final Plan is a refinement of the Proposed Plan/Final Environmental Impact Statement published in August, 1998.


Copies of the Plan will be available in late January upon request, however, we encourage you to view the document online at www.nm.blm.gov or at local public libraries to help conserve our natural resources. To request a copy, contact either:

- 1) Taos Field Office, Bureau of Land Management, 226 Cruz Alta Road, Taos, New Mexico 87571 (or call 505-758-8851);
- 2) La Jara Field Office, Bureau of Land Management, 15571 County Road T5, La Jara, Colorado 81140 (or call 719-274-8971).

The planning process for the Rio Grande Corridor Coordinated Resource Management Plan is concluded with the signing of the Record Of Decision approving the Taos Resource Management Plan amendments and the activity-level management direction outlined in the Final Plan.

Thank you to those who participated in the planning process. There will be many opportunities for public involvement in implementing this plan. Continued public involvement in implementing planned actions will allow us to effectively manage the public lands and resources in the Rio Grande Corridor.

Sincerely,


M. J. Chavez
State Director, New Mexico

1/4/2000
Date


Ron Huntsinger
Taos Field Manager

1/4/00
Date


Carlos Pinto
La Jara Field Manager

1/4/2000
Date

RECORD OF DECISION

The purpose of this document is to approve the Bureau of Land Management (BLM) decisions to amend the Taos Resource Management Plan, as well as decisions to manage the public lands along 94 miles of the Rio Grande and some 42.7 miles of its tributaries. The plan includes 123,750 acres of public lands within the BLM's La Jara Field Office (formerly San Luis Resource Area) and Taos Field Office in south-central Colorado and north-central New Mexico.

DECISIONS AND RATIONALE

- 1) New Mexico State Director - The decision is to approve Taos Resource Management Plan (RMP) amendments described in the Rio Grande Corridor Final Plan. There were no changes, other than minor clarifications, to the RMP amendments described in the Rio Grande Proposed Plan and Final EIS for the Taos Field Office. Protests received on the Rio Grande Corridor Proposed Plan did not provide any new information or data that would lead us to the conclusion that there were errors in the proposed amendments.
- 2) La Jara Field Manager - The decision is to select and approve the Rio Grande Corridor Final Plan for the La Jara Field Office. No protests were received, and there were no changes to management actions described in the Rio Grande Proposed Plan and Final EIS;
- 3) Taos Field Manager - The decision is to select and approve the Rio Grande Corridor Final Plan for the Taos Field Office, with a few modifications or clarifications to the Rio Grande Corridor Proposed Plan as follows that were based upon informal protest responses received in October, 1998:

BOATING MANAGEMENT

- , **Outfitter percentage cap** - There will be no cap on the percentage of available allocation any outfitter could have. The proposal to limit the percentage of total allocation that any 1 outfitter could obtain on a segment has been dropped, since no evidence has been presented that would suggest at what percentage a competitive market would be compromised. Consolidation of existing permits will be handled on a case-by-case basis, following existing permit transfer guidelines.
- , **Firepans** - Only boaters planning to have an open fire need to carry a firepan to contain the fire. There is no need to carry a firepan if a fire is not planned.
- , **Thresholds** - The prescriptions appended to thresholds ("x" days for 2 consecutive years) was deleted for all river segments. BLM will monitor boating use throughout the season, and work with outfitters, private boaters, residents, and other recreation users on a recurring basis to determine whether adjustments can/should be made to resolve new concerns, or better meet the guidelines established for each segment.
- , **Outfitter Multi-segment Use** - Permits issued to outfitters specify the river segment in which they are allowed to conduct business. Four river segments will be allocated (La Junta, Taos Box, Orilla Verde (through Pilar only) and Racecourse). For trips that originate in one segment and continue into another segment, launch requirements for both segments must be adhered to (for example, a Taos Box trip continuing through Pilar must use one of their allocated launches to continue down river). The only exception is for authorized La Junta segment outfitters that continue into the Taos Box segment after 12:00 p.m; use continuing through the Taos Box in this situation will not count toward historical use in the Taos Box, since this use will generally fall outside the allocated time period.
- , **Ute Mountain segment (launches)** - 2 launches per day will be allowed, whether private or outfitted, on a reserved first-come basis. The total number of people per day can not exceed 16. Only 1 launch can be an

overnight trip. This change recognizes that the majority of trips on this segment have small group sizes (generally less than 6 people), allowing more flexibility for day and overnight use. The total number of people in the segment (32 people per day) would not change.

Razorblades and Upper Box (launches) - 1 launch per day will be allowed for an overnight trip. No additional restrictions will be placed on private/outfitted boating until monitoring shows that daily use exceeds 32 people per day. This change recognizes that the majority of trips on this segment have small group sizes (generally less than 6 people), allowing more flexibility for day and overnight use. The total number of people in the segment (32 people per day) would not change.

La Junta (private launches) - 1 launch for an overnight trip would be allowed per day, all overnight trips must be reserved in advance. No additional restrictions would be placed on private boating until monitoring shows that daily use exceeds 32 people per day. This change recognizes that the majority of trips on this segment are day trips and have small group sizes (generally less than 6 people), allowing more flexibility for day and overnight use. The total number of people in the segment (32 people per day) would not change.

La Junta (outfitter launch size) - Outfitted groups would be limited to 2 launches of up to 16 people each per day, guides included. Of the 2 launches, 1 may be used for an overnight trip, with no more than 16 people (passengers + guides), and must be reserved in advance. Outfitters can occasionally exceed the group size on day trips through use of a pool (up to a maximum of 21 person group size, 10 times total per season, first-come basis). Limiting group sizes to 16, including guides, helps preserve the wild character of the Rio Grande between Lobatos and John Dunn Bridges. In this part of the canyon campsites are small in size and number. Restrictions on group size and the number of encounters per day were originally developed in the 1984 River Management Plan, based upon a primitive Recreation Opportunity Class (ROS). Commercial and private boating activities mixed with shoreline use by hikers and fishermen all contribute to the type of experience. This subjective process is commonly used for management of designated wilderness or management for a wilderness-type experience. Since group sizes on this segment rarely have exceeded a total of 16 in the past, this should still provide ample opportunities for the occasional larger group for day trips.

Taos Box (pool) - Outfitters can occasionally exceed the day-use group size through use of a pool of 15 (up to a maximum of 40 passenger group size, on weekdays only, first-come basis for booked trips). The addition of a pool adds flexibility for outfitters to accommodate occasional larger groups on weekdays. Private boating use has historically been low during the weekdays. This pool may be eliminated or modified if monitoring shows a need to reduce congestion.

Taos Box and All Lower Gorge Segments (overlimit fees) - Outfitters would be allowed to book an extra 4 passengers on the Taos Box and all Lower Gorge river segments. A fee would be imposed to remove any profit incentive, and the extra passengers would not be counted towards an outfitters' historic use. Not counting such use into an outfitter's historic use data base further removes any incentive for using this measure. This overlimit may be eliminated if monitoring demonstrates a need.

Orilla Verde/Through Pilar (shoulder seasons) - Shoulder seasons will extend from March 1 to May 14 and August 15 to October 14. Extending the spring shoulder season to include the month of March gives more opportunities to the public during school spring vacations. During public meetings it was noted that the public was willing to accept an extended shoulder season in exchange for minimal winter use.

Orilla Verde/Through Pilar (summer season) - Summer season extends from May 15 to August 14, and the Labor Day weekend. Extending the summer season until August 14 allows outfitters to include a month (July 16-August 14) that represents 20% of their overall use. By including Labor Day weekend in this season the last busy weekend of the summer provides the public with more opportunities without significant disruptions to residents.

Orilla Verde/Through Pilar (winter season) - Number of passengers would be limited to 50/week from October 15 - February 28. This restriction gives the residents a season in which very little outfitted use would occur and provides for the occasional outfitted trip. This should not negatively impact outfitters or residents as there is virtually no demand for use during this period.

Orilla Verde/Through Pilar (time of day) - Outfitted trips may pass Orilla Verde Campground only between 9:00 am and 3:00 pm. This adjustment has been made to resolve protests from 3 outfitters who provide trips to customers not wanting a whitewater float trip. Since they may be launching from Taos Junction Bridge or Lone Juniper as late as noon, they need the 3:00 pm cutoff to accommodate these trips.

Orilla Verde/Through Pilar (launches, summer) - Allowable outfitted passenger numbers will be 300 per day during the summer season when river flows are 2000 cfs or less. The Orilla Verde/Pilar and Racecourse segments will initially have a combined pool of 50 on weekend days and 100 on weekdays, available on a first-come basis and only with confirmed reservations. This pool replaces outfitter trading and could be adjusted in size on an annual basis. Each outfitter will be allowed a total of 32 passengers per day with a maximum of two launches per day per outfitter. Group size will be limited to 32 passengers, except where augmented by the pool. Augmented launches may not exceed 50 passengers on weekends and 90 passengers on weekdays. Where augmented launches exceed 40 passengers, these launches must be staggered in 10 minute intervals. When thresholds are exceeded on the Orilla Verde through Pilar segment and/or the Racecourse segment, both segments would be allocated together due to the interconnectedness of the segments. When river flows exceed 2000 cfs an additional 1 launch per outfitter may be relocated upstream from Quartzite. This would change the allowable outfitted passenger numbers to increase to 450 per day when river levels exceed 2000 cfs. Changing the number of allowable outfitted passengers floating through Pilar to 300 when flows are under 2000 cfs and 450 when flows are above 2000 cfs allows for more opportunities for outfitters and the outfitted public. Residents were willing to accept more outfitted use during the summer season in order to have a winter season with very little outfitted use, a quiet zone and outfitted use restricted to a 6 hour period daily. The use of a pool will increase the public's flexibility through Pilar for occasional convention groups.

Orilla Verde/Through Pilar (launches, shoulder) - No more than 120 outfitted passengers per day would be allowed to float through Pilar during the spring and fall shoulder seasons. This additional use provides additional opportunities for the public while maintaining a relatively low level of use travelling through the community of Pilar.

Orilla Verde/Through Pilar (launches, winter) - Between October 15 and February 28/29, 50 outfitted passengers per week would be allowed to pass through Pilar. Outfitters would be able to accommodate the occasional winter trip without significant impacts to the residents, other users or wildlife.

Orilla Verde/Through Pilar (allocations) - If the prescribed daily limits are exceeded, the corresponding days (adjusted annually for the day of the week) would be allocated for the following 5 seasons for both the Orilla Verde/Pilar and Racecourse segments, basing percentages upon that year and the previous 4 year period. Although it was stated when this planning effort began that allocations would be based upon 1990-1994 data, it was determined that the use of more recent data would be appropriate to reflect the current situation. In addition, some of the river use data reported to BLM has been found to be in error. Outfitted passenger numbers allowed to travel through the Orilla Verde/Pilar segment are included as a part of the total numbers allowed in the Racecourse allocation. Since all trips passing through Pilar will share the river with boaters downstream as well as the takeout at County Line the passenger numbers for these two river segments are inter-related. If passenger numbers through Pilar were not part of the Racecourse allocation, then the Racecourse carrying capacity (described below) would be exceeded on a regular basis.

Racecourse (carrying capacity) - The carrying capacity of the Racecourse is currently assumed to be 1,050 boaters per day, 600 of which are outfitted passengers. When outfitted use exceeds 600 passengers per

day, specific allocations will be made to each outfitter for those days for the following five years to ensure that the carrying capacity is not exceeded. Carrying capacity is based upon the amount of congestion on the river and physical space available at the launch and takeout areas. A maximum of 150 boaters per hour for seven hours results in 1,050 boaters per day. Outfitted boating is limited to the 7 hour window but private use is not. The acceptable level of congestion varies considerably among river users. Based upon high-use days in the past, 150 boaters per hour allows for a safe level of use, but this level approaches congested conditions that are not acceptable to some private boaters and anglers. The Final Plan acknowledges that varying levels of recreation use and experiences will be accommodated throughout the corridor, and the Racecourse is considered to be the segment that can allow the greatest degree of use with the fewest conflicts. It is possible that more efficient use of launch points will reduce the perceived level of crowding. By allocating use when numbers exceed 600 outfitted passengers per day, problems can be addressed before they escalate. Outfitters acknowledged the need to adjust use at Quartzite to accommodate increased use from upstream launches.

Racecourse (allocations) - See Orilla Verde/Through Pilar (allocations) section above.

Racecourse (pool) - Most commercial launches will be limited to 40 passengers, however occasional larger groups up to 90 passengers could be accommodated through the use of the following: a) combined launches, where an outfitter may use all of his/her daily allocation in one launch on weekdays only, will be encouraged during the noon launch window; b) using the BLM pool, where BLM would administer a pool of 50 passenger spaces on weekend days and 100 on weekdays (combined total for trips through Pilar and the Racecourse). This pool would be used to enlarge groups or for additional launches. By allowing outfitters to enlarge launches through the use of combined launches and a pool system, they are given more flexibility to book occasional large school groups or conventions.

Racecourse (launch window) - Outfitted launches would be allowed only from 8:30 am to 3:30 pm. This launch period assumes concentrated commercial use for 7 hours and then leaves the river to other users such as private boaters, anglers etc. Some users would be displaced altogether if high use extends into the late afternoon or evening hours. Since few private boaters or other river users occupy the river sites during the 8:30-9:00 am period, impacts from extending the window would remain low.

Racecourse (facilities) - The Pilar North Parking Area will be re-designed and landscaped with improved changing and toilet facilities only if the expanded parking area at the Rio Grande Gorge Visitor Center can not accommodate the load.

Bosque (high water trips to Lover's Lane) - During high water periods when river levels exceed 2000 cfs between May 15 and August 14, outfitters will be allowed to extend one Racecourse per day trip into the Bosque segment as far as Lover's Lane. Group size would correspond to the Racecourse segment group sizes. These trips would not count toward the Bosque daily limit of 50 passengers. Approximately 50% of all Racecourse use during this high water period would use Lover's Lane as a takeout, except at river levels over 4000 cfs. Flows over 4,000 cfs restrict passage at the Pilar Bridge, and as a result, most groups launch at Quartzite rather than in Orilla Verde, and may take out at Lovers Lane. By specifying the river level of 2000 cfs as the beginning of high water, residents are assured that outfitted trips will not use this part of the Bosque until there is a real need. Flows on average (3 weeks per year) do not frequently exceed 2000 cfs.

Bosque (County Line to Embudo Station or Embudo South, main season) - Except for high water use taking out at Lover's Lane, outfitted use between County Line and Embudo Station or Embudo South would be limited to 50 passengers per day between March 1 and October 14. All trips for outfitters authorized to use this segment (except for high water trips originating above County Line and ending at Lovers Lane) would count toward the daily limit of 50 passengers. The use season of March 1 to October 14 allows outfitters opportunities to run a limited amount of passengers daily from the school spring break period in March through the busy summer season and into the fall foliage time. The 50 passengers per day limit assures local residents that boating use will never reach high levels.

Bosque (County Line to Embudo Station or Embudo South, winter) - 50 outfitted passengers per week will be allowed in the Bosque segment from October 15 to February 28/29. This winter season provides a 4 month period with very limited outfitted boating, since public demand during this period is extremely low.

VISUAL RESOURCES

Editorial Clarification - The Proposed Plan identified incorrect Visual Resource Management Class (VRM) acreage on page 2-15. The correct acreage, as properly described on page 2-40 of the Proposed Plan, is 4,789 acres for Class II and 10,716 acres for Class III.

Editorial Clarification - The Proposed Plan carried forward the VRM classifications identified in the 1994 Amendment to the Taos Resource Management Plan. The Final Plan provides further clarification of the VRM prescriptions for this area. If acquired, the area on the rim north of the Arroyo Hondo drainage and bounded by NM-68, the east rim of the Rio Grande Gorge and private lands to the north will be managed under VRM Class I guidelines to maintain critical scenic values. All campgrounds and day use facilities are below the rim, and will be managed as VRM Class III. The remainder of the recreation area will be managed as VRM Class II.

WATERSHED MANAGEMENT

The BLM will study the interaction between streamflow and riparian-aquatic habitat. The Taos Field Office and La Jara Field Office will continue to work with BLM's National Applied Resource Science Center to study stream channel morphology and flows in order to assess the habitat's ability to provide for fish and wildlife resources, consistent with goals of state wildlife agencies, and determine where in the planning area these goals can be reasonably achieved;

BLM will take the lead to initiate a water resources group which will be encouraged to meet annually, composed of the Rio Grande Water Conservation District, Colorado Division of Water Resources (Division 3), Colorado Division of Wildlife, San Luis Valley Ecosystem Council, Rio Grande Corridor Advisory Committee, Rio Grande Restoration, New Mexico Environment Department, Colorado State Health Department, New Mexico Department of Game and Fish, U.S. Fish and Wildlife Service and U. S. Geological Survey to explore water quantity and quality issues in the planning corridor.

PUBLIC ACCESS

Route 132H will remain open if state lands underlying the route are acquired, since Route 132J (formerly 132C east) does not connect with Route 132H as originally depicted on Map 7 of the Rio Grande Corridor Proposed Plan. Route 132H was proposed to be closed if state lands were acquired due to erosional concerns. BLM will work with user groups to implement best management practices for this route to mitigate erosional concerns. Route 132J will be closed, for the lack of a destination and watershed protection.

Route 132K was re-labeled as a separate segment from Route 132H and will remain open for mining claim and recreational access.

BLM will pursue a right-of-way to provide for public access to the parking area near the confluence of the Rio Grande and the Rio Embudo. This action clarifies the intent to allow for public use and enjoyment of this area, while protecting sensitive riparian resources from off highway vehicle impacts.

CASUAL USES

The Final Plan does not contain specific prescriptions for commercial hot air balloon activities. A separate environmental analysis of the proposals related to special recreation use permits for commercial hot air balloon operations is ongoing. Additional public input will be requested prior to any decisions on these proposals.

ALTERNATIVES

Four alternative management plans were described and analyzed in the Draft Rio Grande Corridor Plan (Draft Plan). These alternatives resolved nine planning issues that were identified by BLM and the public. Each alternative presented a different management strategy ranging from an emphasis on resource use to a priority for environmental protection. Under Alternative A, the no action alternative, multiple-use management would have continued in the same manner as currently exists. Alternative B would have provided an emphasis on sustaining or improving biodiversity and healthy ecosystems. Alternative C would have given preference to developed recreation opportunities and other resource uses. Alternative D, the preferred alternative, was designed to maintain and enhance ecosystem health while optimizing recreational opportunities and other resource uses.

Following public and internal BLM comments on the Draft Plan, several changes were incorporated to formulate the Proposed Plan/Final EIS. The decision is essentially the Proposed Plan described in the Final EIS, with a few modifications that resulted from protests received on the Final EIS.

ALTERNATIVES ELIMINATED FROM FURTHER STUDY

In addition to the four alternatives described in the Draft Plan, two additional proposals were considered but eliminated from further analysis:

1) The Colorado Environmental Coalition (CEC) submitted a “Citizens Management Alternative for protecting the biological diversity and ecosystem health on the Rio Grande River Corridor”. Many of the CEC proposals were included in the scoping results and were considered during the development of the four alternatives. Other proposals that were considered but eliminated were outside the scope of this planning effort.

2) The Rio Grande Restoration submitted a “Proposed Streamflow Enhancement Amendment” to the Rio Grande Corridor Plan. The amendment proposed that BLM immediately conduct instream flow studies as a basis for federal reserved water rights claims, and provide for augmentation from the Closed Basin Project in Colorado of late summer streamflows on the Rio Grande. The proposal as written would have had detrimental thermal impacts to cold water species, and was eliminated. BLM instead has committed to continue to work with water managers from Colorado and New Mexico to develop long-term solutions to the complex water management issues, and to work with BLM’s National Applied Resource Science Center to obtain information on the relationship between streamflow and riparian and aquatic habitat.

MITIGATION AND MONITORING

Some decisions in the Final Plan will require additional consideration of affected resources prior to implementation. All reasonable measures will be taken to ensure that adverse impacts are mitigated in a manner consistent with the prescriptions in the Final Plan. These prescriptions may be supplemented during environmental analysis for site-specific actions. Monitoring is discussed in specific resource sections of the Final Plan.

PUBLIC INVOLVEMENT

Public opinion has been thoroughly sought since the inception of this plan in 1994. Public participation efforts were described in detail on pages 5-4 and 5-5 of the Proposed Plan. A summary of that public involvement process, as well as the inclusion of an additional opportunity to provide input that is not a normal part of the process, the informal protest period, follows:

- < Preparation of a public participation plan;
- < Federal Register notices of intent and availability;
- < Numerous formal and informal meetings with stakeholders, with many of the meetings conducted by contracted facilitators;
- < Interaction with citizen work groups in communities near the Rio Grande;
- < Planning updates and informational mailings;
- < Formal public hearings and a total of 177 days (including 2 extensions) to review the Draft Plan/EIS;
- < Numerous briefings with neighborhood associations and local, county, and state agencies;
- < A 30-day protest (for RMP-level actions) and informal protest (for Activity-level actions).

PROTEST RESOLUTION

Four protests and 32 informal protests were filed during the protest period that ended October 5, 1998. All of the protests and informal protests were considered in the preparation of this Record of Decision. There were no changes added to the Final Plan based on the four protests that were forwarded to the Director of the BLM for resolution. The protests dealt only with RMP-level actions, while the informal protests related to activity-level actions. Several changes were included in the Final Plan based upon the informal protests. The majority of the informal protests addressed boating management.

BIOLOGICAL ASSESSMENT

Throughout the process BLM has consulted informally and formally with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act of 1973 (ESA), as amended. The BLM prepared a Biological Assessment (integrated within the FEIS) on the probable affects of implementation of the actions identified in this plan on threatened and endangered species for review by the USFWS.

Following that review, USFWS issued a biological opinion on BLM's Biological Assessment. The Service provided concurrence with the BLM determinations of "may affect, but is not likely to adversely affect" for endangered or threatened species occurring or potentially occurring within the planning area. This completes the formal Section 7 consultation process.

CONSISTENCY

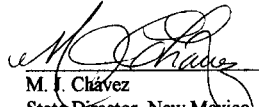
There are no known or identified inconsistencies with the plans, programs, and policies of other federal agencies and of state and local governments. The 60-day Governor's consistency review period ended September 30, 1998. No inconsistencies were identified. A concern was identified by Walter Bradley, Lieutenant Governor of New Mexico relating to the economic impact of reducing the number of outfitters providing recreational services. This issue was resolved upon further clarification to Cecilia Abeyta at a BLM Resource Advisory Committee meeting that any reduction in the number of outfitters would be through attrition only, and that losses (up to the defined carrying capacity) would be absorbed by other outfitters.

CONCLUSION

The Record of Decision constitutes the Bureau of Land Management's final action on approving the Taos Resource Management Plan amendments and activity-level management direction as contained in the Rio Grande Corridor Final Plan. Any person adversely affected by a decision of the BLM in implementing any portion of this Plan may appeal that action to the Interior Board of Land Appeals pursuant to 43 CFR Part 4, at the time the action is proposed for implementation.

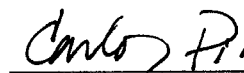
APPROVALS

1) Taos Resource Management Plan amendments:


M. J. Chavez
State Director, New Mexico
Bureau of Land Management

1/4/2000
Date

2) La Jara Field Office activity-level planning:


Carlos Pinto
La Jara Field Manager
Bureau of Land Management

1/4/2000
Date

3) Taos Field Office activity-level planning:


Ron Huntsinger
Taos Field Manager

1/4/2000
Date